

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-168-T - ORDER NO. 2005-16  
JANUARY 12, 2005

IN RE: Application of James W. Wilson d/b/a J.W.'s	)	ORDER DISMISSING
Transportation Services, 15 Indigo Run Drive,	)	APPLICATION AND
Unit #38, Hilton Head Island, SC 29926	)	RESCINDING
(District 2) for a Class C Charter Certificate	)	AUTHORITY
of Public Convenience and Necessity.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Commission Staff's (Staff) request to dismiss the Application of James W. Wilson d/b/a J.W.'s Transportation Services (J.W.'s Transportation or the Applicant) and to rescind J.W.'s Transportation's authority as the result of the failure of the Applicant to comply with certain rules of this Commission relative to the instant docket.

By Order No. 2004-300, dated June 22, 2004, the Commission granted J.W.'s Transportation authority to operate as a motor carrier in South Carolina under a Class C Charter Certificate of Public Convenience and Necessity (Certificate). In Order No. 2004-300, the Commission directed the Applicant to file the proper license fees, proof of liability insurance, and other information required by S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable provisions of R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through R.38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as

amended, within sixty (60) days of the date of the Order, or within such additional time as may be authorized by the Commission. Further Order No. 2004-300 instructed the Applicant that failure to either complete the certification process by complying with the requirements of filing with the Commission proof of appropriate insurance, the payment of license fees, and such other information required by law within sixty (60) days from the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, would result in the Applicant's authorization being revoked.

A review of the instant docket reveals that J.W.'s Transportation has failed to comply with the directives of Order No. 2004-300 and failed to respond to the subsequent notification issued by this Commission with respect thereto. The Applicant's compliance with such filing requirements was clearly expressed as a condition precedent to receipt of the Certificate and to the performance of the motor carrier services authorized by Order No. 2004-300. After due consideration of the Staff's request, the Commission is of the opinion, and so finds, that its previous Order No. 2004-300 granting authority in this matter should be rescinded, that the Application herein should be dismissed, and the instant docket should be closed.

**IT IS THEREFORE ORDERED:**

1. That Commission Order No. 2004-300, dated June 22, 2004, granting authority to James W. Wilson d/b/a J.W.'s Transportation Services to provide motor carrier services in South Carolina is rescinded.

2. That the Application of James W. Wilson d/b/a J.W.'s Transportation Services for a Class C Charter Certificate of Public Convenience and Necessity is dismissed, and the docket closed.

3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSON:

/s/  
Randy Mitchell, Chairman

ATTEST:

/s/  
G. O'Neal Hamilton, Vice Chairman

(SEAL)